

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

HEATH V. FULKERSON,

Plaintiff,

v.

STATE OF NEVADA, *et al.*,

Defendants.

Case No. 3:20-cv-00725-MMD-WGC

ORDER

On November 25, 2020, the Court declared Heath Vincent Fulkerson a vexatious litigant. *See Fulkerson v. Allstate Insurance*, Case No. 3:20-cv-00399-MMD-CLB, at ECF No. 13 (D. Nev. Nov. 25, 2020). In so doing, the Court ordered that Mr. Fulkerson must obtain the Court's leave before filing any complaint, petition, or other document in this Court. *See id.* at 5. The Court also explained in that order how Mr. Fulkerson must request the Court's leave:

In order to file any papers in this Court, Fulkerson must first file an application for leave. The application must be supported by a declaration of Fulkerson stating: (1) that the matters asserted in the new complaint or papers have never been raised and disposed of on the merits by any court; (2) that the claim or claims are not frivolous or made in bad faith; and (3) that Fulkerson has conducted a reasonable investigation of the facts and investigation supports Fulkerson's claim or claims. A copy of this order declaring that Fulkerson is a vexatious litigant must be attached to any application submitted to this Court. Failure to comply with these instructions will be sufficient grounds for denial of an application.

*Id.* The Court will refer to these requirements as the Vexatious Litigant Requirements.

On or around December 30, 2020, Mr. Fulkerson deposited some documents in one of the Court's drop boxes at the federal courthouse in Reno. (ECF Nos. 1, 1-1, 1-2, 1-3, 1-4, 1-5.) The Clerk of Court assigned those documents the above-captioned case number. However, as those documents Mr. Fulkerson filed did not comply with the

1 Vexatious Litigant Requirements, the Court dismissed this action and directed its  
2 administrative closure. (ECF No. 2.)

3 Then, on January 12, 2021, Mr. Fulkerson attempted to file several more  
4 documents in this closed case. (ECF Nos. 3, 4, 5, 6, 7.) Having reviewed them, these  
5 documents also do not comply with the Vexatious Litigant Requirements. Moreover, these  
6 documents should not have been filed in this closed case. (ECF No. 2 at 2 (admonishing  
7 Mr. Fulkerson to comply with the Vexatious Litigant Requirements to the extent he wishes  
8 to file any new cases in the future).) The Court will strike the documents.

9 It is therefore ordered that, to the extent the Clerk of Court has categorized the  
10 newly-filed documents (ECF Nos. 3, 4, 5, 6, 7) as motions, they are denied.

11 It is further ordered that Mr. Fulkerson may not file any more documents in this  
12 closed case. The Court will summarily deny any additional documents he attempts to file  
13 in this closed case.

14 The Clerk of Court is directed to strike the newly-filed documents (ECF Nos. 3, 4,  
15 5, 6, 7).

16 DATED THIS 12<sup>th</sup> Day of January 2020.

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19 MIRANDA M. DU  
20 CHIEF UNITED STATES DISTRICT JUDGE  
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